



IFW  
B 1653

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**David A. Fischhoff,  
Roy L. Fuchs,  
Paul B. Lavrik,  
Sylvia A. McPherson,  
Frederick J. Perlak**

Confirmation No.: 4166

§§ Art Group No.: 1653

§§

§§ Examiner: G. Bugaisky

§§

§§ Atty. Dkt.: 11899.0195.DVUS01

§§

Serial No.: 09/943,692

Filed: August 31, 2001

**For : COLEOPTERAN TOXIN PROTEINS OF  
BACILLUS THURINGIENSIS (AMENDED)**

**ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY**

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints the practitioners associated with **CUSTOMER NO. 45607** with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Please direct all communications with the address associated with the above-mentioned Customer Number (45607).

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO TECHNOLOGY LLC** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: MONSANTO TECHNOLOGY LLC

Date: 23 March, 2005

By: Michael J. Roth  
Name: MICHAEL J. ROTH  
Title: SENIOR COUNSEL

ASSIGNMENT:

☐ Concurrently filed  
☒ Previously Recorded:  
Date: 6/13/2001  
Reel: 012350  
Frame: 0224